

Revision, Charles Stewart

**THE**  
**LUSITANIA MURDERS**

**AND**

**The Responsibilities of Presidents**

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**A third letter to Hiram Freeborn, U. S. A.**

**U. S. A.**

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**May 10th, 1915**

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*5th Thousand*

*From  
President Danisco*

140.92

⑤ 295.3

940.92  
II 295.3

*"Tis man's perdition to be safe  
When for the truth he ought to die".*

60 Wall Street, N. Y. C.,  
May 10th, 1915.

Hiram Freeborn, Esq.,  
U. S. A.

Dear Hiram:—

Events have crowded upon us since I wrote you on April 14th concerning the Kronprinz Wilhelm and Bernstorff's Diplomacy.

The situation has grown more and more complex for us because of the Administration's original error—its departure from "neutrality": in the attempt to be friendly: the attempt to be "impartial." The real trouble is not with these feeble "attempts." These "attempts" are not real attempts. They are—if one would be charitable—but the evasions of responsibility of an ill-equipped, an unprepared, an uncertain, a hesitating and an inexperienced administration. The seed of error was sown in Mexico. It blossomed in the early stages of the German war. It bears its fruit in the Falaba, the Gulfight and the Lusitania murders. My letter of March 31st entitled "Neutrality" said "The

"life of no individual American citizen, has been  
"worth defense, the property of no individual  
"American citizen, has been worth protection, the  
"rights of no American citizen, as also the rights of  
"America, as well in the present clash between foreign  
"powers as in internecine strife in Mexico have neither  
"been asserted rightly nor maintained stoutly."

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"Such course, persisted in, will cost  
"more in money, more in lives, more in territory and  
"more in all material resources within the next twenty  
"years than will have been saved and this by an hundred  
"thousand times over." Also: "We have given Ger-  
"many since the first of last August example after ex-  
"ample of the amount of infringement upon our national

“and individual rights to which we are prepared to submit rather than by any possibility take a stand which would earn her displeasure and then maintain such stand.” In summarizing it said: “The net result is that the just rights of our own people and of all other neutral nations are deliberately sacrificed in the mistaken hope of accomplishing what is wrongly thought to be a good end. All human experience is against the utility of such procedure.” All this is steadily coming true even earlier than I had thought—the question is: how long can we continue to believe that it is mere inefficiency.

That letter asked “Where has there been recognition of the duty to safeguard even our own future position.” Again one asks—where?

My second letter to you, the one of April 14th, said that “It would appear to be useless to temporize further with or seek in anywise to evade the actual responsibility in this matter cast upon us as neutrals. The real situation must necessarily be faced at some time sooner or later. All steps taken with a view to temporizing will only embarrass later. Will also be cited as precedent against us when the next incident occurs, and will create a belief that we will yield to pressure which belief will in turn lead to attempted pressure, which if, finally, resisted will create a still deeper animosity. It is better to face a difficult position or an evil at the outset along correct lines than to evade or hope to conciliate by weakness.” That letter also called attention to the fact that step by step the justice of the analysis in the first letter of the futility of our attitude was demonstrating itself, that the impairment of the future reputation of our chief executive was growing patent to every observer and it commented on the duty which lay upon us to make known as far as we could that the errors we had made were recognized as such by the majority of Americans.

How then does the record stand to-day? We have to contemplate: amid a number of minor matters: certain

startling incidents which tower in their sinister importance above their surroundings—the murders which took place at the sinkings of the three vessels mentioned and the proclamations issued here in the United States to the People of the United States by a foreign Power against the Peace and Dignity of the United States.

In each case there has been temporizing by the administration. Had Thrasher's death on the *Falaba* been dealt with resolutely there might well have been no murders on the *Gulflight*, had the murders on the *Gulflight* been dealt with resolutely the horror of the *Lusitania* might very well never have existed. There is now a great moral responsibility on the administration it is a safe prediction that the demands of that responsibility will not be complied with, and the blood of other victims will also in turn cry aloud for justice, unheeded. The public journals state that the President of the United States desires to have from Berlin a report by the Captain of the German submarine that sank the "*Lusitania*." Meanwhile the President plays golf!

*"The life of no individual American citizen has been worth defence, the property of no individual American citizen has been worth protection, the rights of no American citizen as also the rights of America, \* \* \* have neither been asserted rightly nor maintained stoutly."*

Neither will they be, because of the fatal lack of initiative, the fatal lack of experience, the fatal lack of competency, the fatal lack of strength of mind or purpose on the part of the administration—to place a most charitable construction on the situation.

Should this come to be the case inevitably the question will arise—How great a disregard for the lives and property of individual citizens will constitute on the part of the executive one of those High Misdemeanors which are within the purview of the fourth section of the second article of the Constitution of the United States.

To leave aside for a moment the murders in Mexico,

the murders along the Americo-Mexican border, the alleged encouragement of one of the insurgent parties in Mexico against the other, the murder of Thrasher on the Falaba, the murders on the Gulflight and the wholesale murdering on the Lusitania: it is noteworthy that here within the United States of America acts have been committed by one of the belligerents which are acts against the Peace and Dignity of the People of the United States of America and of which either no note has been taken by the administration or else whatever was done was so ineffectually done that the acts have been repeated.

On the morning on which the ill-omened Lusitania sailed from the Port of New York there appeared extensively in the newspapers of the United States a proclamation signed "Imperial German Embassy" addressed to the People of the United States warning them not to travel upon English vessels. This warning was in direct conflict with the position which the United States had taken in its communication with Germany upon the War Zone Decree.

It was perhaps the first time in the history of the United States that the Government of the United States was notified that it was regarded with such contempt by a foreign nation, that that foreign nation permitted itself to issue within the United States a proclamation to the People of the United States. It was followed by the murdering of upwards of a thousand of the passengers of the Lusitania including a number of Americans. On the 8th of May, the morning after the news of the murdering of the Lusitania's passengers reached the United States, the same proclamation was made again by the Imperial German Embassy to the People of the United States in the public prints.

These proclamations were also, as said above, directly contrary to the attitude which this country has taken on this matter as theretofore declared most explicitly to Germany.

Failure to take action to defend the Peace and Dignity of the People of the United States in such matter one must

assume would constitute a "Misdemeanor in Office" on the part of an executive.

Furthermore it must be noted that since Germany practices the torpedoing without warning of passenger vessels of nations with whom she is at war it is beyond contradiction that she takes the position that such acts are "permissible acts of war." She regards them as acts which tend to create terror among her enemies, as also among neutrals, thereby impairing intercourse with her enemies: and as being also acts which will tend to hamper and impede the ordinary conduct of their affairs by her enemies—therefore as acts which militate against and reduce or tend to reduce the resources of her enemies.. That is to say—Since a part of the prosperity of her enemies depends upon their intercommunication with other peoples Germany estimates that any act which will prevent, diminish or discourage such intercommunication is within her, Germany's, definition of "acts of war." From this it follows that the act of the German Embassy in publishing here in the United States simultaneously with the sailing of the "Lusitania" a warning to American citizens not to travel on English vessels and then republishing the same warning immediately on the torpedoing of the Lusitania was "an act of war" (more Germanico) and equally it follows that the territory of the United States was "used as the base" for that act of war.

For us to permit our territory to be used as a base for acts of war is an un-neutral act on our part.

Failure on the part of the chief executive to take measures sufficient to prevent such acts of war being perpetrated with the use of the territory of the United States as their base will tend to directly embroil this country with other nations and will involve this country in further responsibilities.

This being so, unless the reasoning given above is defective at some point, such failure to act would constitute a High Misdemeanor within the purview of the fourth section of the second article of the United States Constitution providing for removal of the executive.

Meanwhile Germany's special representative in this country, Dr. Dernburg, is quoted in terms to-day in the press as saying

"Germany issued a general warning advertisement before the *Lusitania* sailed," continued Dr. Dernburg, "*and had it purposely placed next the Cunard advertisements.*"

Dr. Dernburg was advised it seems before the *Lusitania* sailed that she was to be torpedoed and sunk.

The interview then continues still in quotations as follows:—

"If after such warning and publication of the fact that a ship contained contraband, as I have suggested, people still want to travel in her, it is their own affair. *Nobody can prevent their committing suicide if they wish.*"

Dr. Dernburg knew it seems that no attempt to save the passengers would be made.

How long will the administration continue to allow this country to be used as base of war by belligerents—assuming that the sinking of the *Lusitania* with her passengers was an act of war?

If it were not an act of war then it was murder and if that were to be the hypothesis it seems that Dr. Dernburg states sufficient to raise a presumption that he was an accessory before the fact.

It is therefore the less serious position as to him to assume that he has participated in using the United States as a base of war. How long will the administration continue to afford belligerents free opportunity to use this country as a base of war?

Yours Respectfully,

CHAS. STEWART DAVISON.